Table 13: Alternative Dispute Resolution Methods

Court-Approved ADR Methods—What ADR methods have been approved by the Court?

Referral Method, Timing, and Type of Case Selected—How are cases selected for ADR? When are they scheduled for ADR? What types of cases are eligible?

Other—Are there other relevant provisions?

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
M.D. Ala.	Early neutral evaluation and mediation	IA	
N.D. Ala.	The open ADR track allows parties to employ any form of ADR upon which they mutually agree. On the mediation track, litigants meet with a neutral mediator for in-depth settlement discussions. The mediation/arbitration track combines mediation and some features of arbitration.	Each judge will conduct an ADR evaluation conference during the early stages of case development to determine whether a case might be appropriate for ADR. This conference may be held in conjunction with a pretrial conference under Fed. R. Civ. P. 16 or a scheduling conference under Fed. R. Civ. P. 16(b), but may also be conducted as a separate conference. At the conference, a case may be selected for the mediation track: 1. when the status of discovery is such that the parties are generally aware of the strengths and weaknesses of the case; or 2. at any earlier time by agreement of the parties and with the approval of the court. A case may be selected for the mediation/arbitration track: 1. when the status of discovery is such that the parties are generally aware of the strengths and weaknesses of the case: or 2. at any earlier time by agreement of the parties with the approval of the court.	The expenses of a witness for a party will be paid by the party producing the witness. All other expenses of mediation, including the fee, travel, and other expenses of the mediator, the expenses of any witnesses called by the mediator, and the cost of any evidence or expert advice produced at the request of the mediator, will be borne equally by the parties unless otherwise agreed to by the parties or directed by the court. The mediator will be compensated at a reasonable rate, agreed to by the parties, or as set by the court. Before the mediation process begins, each party to the process will deposit with the clerk such an amount of the anticipated expenses and fees as the court directs. When the mediator process has been terminated, the mediator will file with the clerk a verified statement of fees and expenses. Upon approval by the court, the clerk will disburse to the mediator from the sums deposited by the parties an amount to satisfy the fees and expenses approved by the court. Any unexpected balance will be returned to the parties. If the sums deposited are insufficient to pay the full amount of the approved fees and expenses, the court will order the parties to pay any remaining fees and expenses.

Table 13: Alternative Dispute Resolution Methods

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
S.D. Ala.	IA	IA	
D. Alaska	The court will support the bar in implementing an early neutral evaluation program that will demonstrably divert cases from a normal judicial track. The court said it was not able to undertake such a program at present.	IA	
D. Ariz.	Arbitration, early neutral evaluation, and mediation	IA Loc. R. 2.11	
E.D. Ark.	IA	IA	
W.D. Ark.	CR	CR	The court has rejected court-annexed ADR, but it will not prevent or discourage parties from seeking ADR options.
C.D. Cal.	IA	IA	
E.D. Cal.	Early neutral evaluation (This program was adopted after the effective date of the CJRA Plan.)	IA	
	General Order 293 (11/12/92)	General Order 293 (11/12/92)	
N.D. Cal.	The court provides early neutral evaluation, nonbinding arbitration, judicially hosted settlement conferences, nonbinding summary jury trials and summary bench trials, special masters, trial by magistrate judge, and mediation.	IA	The court wants to: 1. develop and implement improved data collection systems to better monitor the administration of ADR programs and assess their effectiveness; 2. refine the process of matching individual cases with the various ADR methods; 3. analyze the suitability of case types included in each ADR program and recommend the addition
	General Order 26 (5/11/85; Revised 7/22/86, 8/12/88, 1/1/90, 7/1/93) General Order 36 (7/1/93; Revised 1/18/94) General Order 37 (7/1/93) Loc. R. 500		or deletion of case categories; and 4. design and implement improved systems to obtain feedback from parties and neutrals regarding the effectiveness of the ADR programs.
S.D. Cal.	Mediation, early neutral evaluation, minitrial, summary jury trial, and arbitration	Magistrate judges offer mediation and early neutral evaluation in the course of pretrial management. The judicial officer will order nonbinding arbitration in all even-numbered simple contract and simple tort cases that do not exceed \$100,000. Data will be collected from these cases and used to evaluate the effectiveness of the ADR program. All even-numbered trademark and copyright cases are subject to nonbinding arbitration/mediation. In cases under	

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
		\$250,000, the judicial officer can order a nonbinding minitrial or a summary jury trial if it is likely to resolve the case.	
D. Colo.	IA	IA	The judicial officer will discuss ADR possibilities at the pretrial conference.
	Loc. R. 53.2		Loc. R. 29.1 Loc. R. 53.2
D. Conn.	The CJRA Plan does not specifically limit the types of ADR available through private providers or through Sta-Fed, Inc., a joint state-federal court ADR provider.	Any case may be referred to ADR at any stage of litigation.	Euc. K. 33.2
	Loc. R. 28 (1985)		
D. Del.	Voluntary mediation and binding arbitration	Referral to ADR should be discussed at the settlement conference.	
	Loc. R. 72.1(a)(1)	Loc. R. 72.1(a)(1)	
D.D.C.	The court will provide a special master, a qualified volunteer, a staff mediator, or a magistrate judge in appropriate cases. The parties have the option of using a person agreed upon and paid for by the parties. If the parties cannot agree, the court will select a qualified volunteer or a staff mediator.	ADR is discussed at the meet and confer conference; a recommendation is made by counsel in the case scheduling statement that is submitted to the judge within 10 days of the conference.	
		Loc. R. 206(d) (3/1/94)	
M.D. Fla.	Mandatory arbitration and mediated settlement conferences	IA	
N.D. Fla.	Mediation	A case may enter mediation at one of these 4 points: 1. upon completion of discovery, in lieu of pretrial stipulations/attachments; 2. at the time of the pretrial conference, by order of the court with or without parties' approval; 3. at the request of the parties, at any time prior to trial; or 4. at any time the court determines it to be appropriate.	
S.D. Fla.	Mediation, minitrials, and summary jury trials	Mediation is mandatory in all cases except those exempted by local rule.	
		Loc. R. 16.2(C) (2/15/93)	

Table 13: Alternative Dispute Resolution Methods

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
M.D. Ga.	The court is one of the ten pilot districts for voluntary court-annexed arbitration.	IA	
	Loc. R. 11 (8/91; Revised 6/93)	Loc. R. 11.3 (8/91; Revised 6/93)	
N.D. Ga.	Mandatory court-annexed arbitration and special masters are methods to be adopted by the court. The court has not yet court-annexed mediation, but will permit parties in arbitration to jointly agree on mediation.	Approximately 250–300 civil actions will be randomly selected each year to participate in the mandatory arbitration program. The assigned judge in each selected case may, upon motion by a party or sua sponte, exempt that case from arbitration within 30 days of selection for the program. Upon the consent of all parties, a civil case not randomly selected may participate in arbitration. Parties in complex litigation may agree jointly upon the selection, appointment, and payment of a special master to control and manage discovery, conduct a trial, enter findings of fact and conclusions of law, and render a decision that would be binding on the parties.	Implementation of the ADR programs is dependent upon additional funding.
S.D. Ga.	ADR options must be presented to and signed by each party at the beginning of the case via the court's Litigant's Bill of Rights.	ADR options must be presented to and signed by each party at the beginning of the case via the court's Litigant's Bill of Rights.	
D C	Loc. R. 8 (6/94); Renumbered Loc. R. 3.3	Loc. R. 8 (6/94); Renumbered Loc. R. 3.3	
D. Guam	IA	IA	
D. Haw.	IA	IA	
D. Idaho	Settlement weeks, voluntary arbitration, and early neutral evaluation	Settlement weeks will be scheduled periodically, depending upon the volume of cases. Selection of cases for settlement weeks will be at the discretion of the court, but the most appropriate cases for settlement will be those in which a significant amount of discovery has already been completed, or upon the request of one or more parties. Upon consent of all parties, cases can be referred to neutral evaluation at any time. Any civil case not involving prisoners as party litigants may be referred to arbitration at any time at the request or upon the consent of all parties. (Eligibility for arbitration is a revised version of eligibility established in the CJRA Plan.) General Order 92 (5/93)	
C.D. Ill.	Settlement conferences and summary trials	IA	
	Loc. R. 2.11 (1/92; Revised 1/94)		

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
N.D. III.	The court will consider using summary jury trials and minitrials in a limited number of cases.	IA	
S.D. III.	Mediation, arbitration, summary jury trials, and minitrials	The court may, at its discretion, refer any civil case for summary jury trial or other ADR that the court may deem proper. Loc. R. 34 (5/92; Revised 3/94)	
N.D. Ind.	Early neutral evaluation, minitrials, summary jury trials, and settlement conferences	IA	The court will make cautious use of minitrials and summary jury trials in cases where the actual trial would be unusually expensive. The court will expand, on an experimental basis, the voluntary early neutral evaluation program being used in the Ft Wayne division to two other divisions.
S.D. Ind.	Early neutral evaluation, mediation, arbitration, minihearings, and summary jury trials Loc. R. 53.2	IA	
N.D. Iowa	IA	IA	
S.D. Iowa	Settlement conferences, summary jury trials, and mediation	IA	
D. Kan.	IA	IA	
E.D. Ky.	Summary jury trials and voluntary mediation	IA	
W.D. Ky.	Mediation and early neutral evaluation	IA	The court believes that ADR programs must be voluntary in order to be successful.
E.D. La.	If the presiding judicial officer determines at any time that the case will benefit from ADR, the judicial officer will: 1. have discretion to refer the case to private mediation if the parties consent; 2. have discretion to order a nonbinding minitrial or nonbinding summary jury trial before a judicial officer with or without the parties' consent; or 3. employ other ADR programs that may be designated for use in this district.	Judges may refer cases to private mediation at any time, even if such mediation upsets previously set trial or other dates.	
M.D. La.	Settlement conferences, minitrials, summary jury trials, and private mediation	The presiding judicial officer may at any time refer a case to ADR.	

Table 13: Alternative Dispute Resolution Methods

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
W.D. La.	The court will promote settlement efforts at every stage of the proceedings. The court may, in instances that merit, order nonbinding mediation or arbitration.	The court will not establish formal procedures for arbitration or mediation. However, a list of resources that provide both arbitration and mediation will be maintained at a designated location. The list will be available to litigants upon request.	
D. Me.	Mediation, minitrials, and summary jury trials	Attorneys for cases in the standard and complex tracks will discuss ADR at the scheduling conference.	
D. Md.	Mediation and minitrials	IA	
D. Mass.	Minitrials, summary jury trials, and mediation are among the methods available for use by the court. However, this list is illustrative, not exclusive.	The court may refer appropriate cases to ADR programs that have been designated for use in the district court or that the judicial officer may make available.	
	Loc. R. 16.4 (10/92)	Loc. R. 16.4 (10/92)	
E.D. Mich.	Early neutral evaluation, mediation, special mediation panels, binding arbitration, summary jury trials, and settlement conferences	IA	
	Loc. R. 53.1	Loc. R. 53.1	
W.D. Mich.	IA	IA Loc. R. 42 Loc. R. 43	
D. Minn.	Mediation, arbitration, summary jury trials, minitrials, settlement conferences, and special masters	IA	
N.D. Miss.	Early neutral evaluation, settlement conferences, summary jury trials, summary bench trials, minitrials, and settlement weeks	ADR is discussed by counsel during the preparation of the joint case management plan. Early neutral evaluation and settlement conferences should be accomplished in the course of the case management conference and any subsequent status and pretrial conferences.	
S.D. Miss.	Early neutral evaluation, settlement conferences, summary jury trials, summary bench trials, minitrials, and settlement weeks	ADR is discussed by counsel during the preparation of the joint case management plan. Early neutral evaluation and settlement conferences should be accomplished in the course of the case management conference and any subsequent status and pretrial conferences.	

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
E.D. Mo.	Early neutral evaluation and mediation	Referral of cases to early neutral evaluation will occur when ordered by the court after the first case management scheduling conference or when both parties agree to participate. A case may be referred to mediation upon order of the court after a case management conference or upon motion of one or more parties. When mediation is ordered, attendance of the parties and counsel is mandatory. No case types are specified for either type of ADR.	
W.D. Mo.	Mediation, nonbinding arbitration, early neutral evaluation, magistrate settlement, minitrials, summary jury trials, binding arbitration, or some hybrid approved by the ADR administrator	After filing, all civil cases, except those cases listed below, will be randomly assigned to one of three groups. One third will be assigned to the Early Assessment Program. Another third will be eligible to voluntarily participate in the program. The other third will be a control group, exempted from mandatory participation in any form of ADR. Excluded case types are multidistrict cases, Social Security appeals, bankruptcy appeals, habeas corpus actions, pro se prisoner cases, other pro se cases where motion for appointment of counsel is pending, class actions, and student loan cases.	For those cases assigned to the program, an assessment will be held within 30 days after the completion of responsive pleadings. Parties with authority to bind must be present. No fee is charged if the court's neutral is used. Fees are charged if an outside neutral from a roster of neutrals is used.
D. Mont.	Mediation	IA Loc. R. 235-1(a)(9)	
D. Neb.	Mediation	Court-annexed mediation will be provided in cases deemed appropriate for mediation.	The court will attempt to use the resources of the Nebraska Office of Dispute Resolution in consultation with the bar in drafting the standing order or local rule that makes mediation available.
D. Nev.	Settlement conferences, summary jury trials, or any other ADR method selected by the court	ADR is conducted in cases judged by the court to be appropriate.	
D.N.H.	Neutral case evaluation, mediation, binding and nonbinding arbitration, and summary and mini jury trials	ADR is considered at the preliminary pretrial conference. ADR should be voluntary and will be determined by the judge and parties on a case-by-case basis. The litigants will be given the opportunity to choose from a menu of ADR techniques.	IA
D.N.J.	Court-annexed arbitration and court-annexed mediation	At the initiation of civil actions, the clerk designates certain actions for court-annexed arbitration when the relief sought is monetary and not in excess of \$100,000 exclusive of interests, costs, and punitive damages. Judicial officers may	

Table 13: Alternative Dispute Resolution Methods

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
		at any time designate complex civil actions for court-annexed mediation. Parties may agree to arbitrate or mediate any case on a voluntary basis.	
	Gen. R. 47 (3/85) Gen. R. 49 (1/93)	Gen. R. 47C.1 (3/85) Gen. R. 47C.2 (3/85; Revised 12/91) Gen. R. 49D (1/93)	
D.N.M.	Arbitration, mediation, conciliation, minitrials, summary jury trials, and settlement conferences are recommended for use by district judges.	Cases are referred to ADR at the discretion of the judge.	
E.D.N.Y.	Court-annexed arbitration, early neutral evaluation (for cases filed on or after 6/30/92, using a panel of court-appointed expert attorneys, on an experimental basis), magistrate judge trials, settlement conferences, special masters, and court-annexed mediation (for cases filed on or after 6/30/92, on an experimental basis)	All cases involving claims for money damages involving \$100,000 or less will be sent to arbitration, except for Social Security cases, tax matters, prisoner's civil rights cases, and actions asserting constitutional rights. The court may, at its discretion, refer matters to early neutral evaluation. The court may upon request of all parties or upon their consent refer matters to a magistrate judge for an early, firm trial date. A settlement conference before a district or magistrate judge will be convened in every case unless the court determines that it is unwarranted. The court may appoint a special master when it finds that a special master would play a useful role in resolving disputes among parties. Litigants may choose to avail themselves of the court's mediation program for civil cases.	
N.D.N.Y.	Court-annexed voluntary arbitration	Parties are advised of the court's voluntary arbitration program in § VIII(B) of General Order 25, which is provided to all plaintiffs upon commencement of action for service on defendants. At the pretrial conference, counsel will inform the court whether or not their clients have found their case suitable for arbitration.	
S.D.N.Y.	Mediation and court-annexed voluntary arbitration	Loc. R. 83.7 As part of a 2-year program, mediation will be available for expedited cases and a sample of other civil cases. In standard and complex cases, arbitration will be discussed at the case management conference.	
W.D.N.Y.	Voluntary arbitration	IA	
		Loc. R. 47	

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
E.D.N.C.	Court-hosted settlement conferences, mediated settlement conferences, and summary jury trials	All cases are eligible for settlement conferences. The court-hosted settlement conference is initiated by motion or request by a party or by order of the court. The mediated settlement conference is held within 60 days of a court order and is completed within 30 days.	
M.D.N.C.	Mediation	IA	
	Loc. R. 601	Loc. R. 602	
W.D.N.C.	Mediated settlement conferences	All cases except habeas corpus cases	
D.N.D.	IA	IA	
D. N. Mar. I.	Nonbinding summary jury trials	Any triable civil case may be assigned for summary jury trial at the case management conference or at any time by the court on its own motion, on the motion of one of the parties, or by stipulation of all parties.	
N.D. Ohio	Voluntary arbitration, early neutral evaluation, mediation, and summary jury or summary bench trials	Any civil case may be referred to early neutral evaluation, mediation, summary jury trial or summary bench trial by the court on its own motion, on the motion of one or more parties, or by stipulation of all parties. Any civil case may be referred to voluntary arbitration subject to 28 U.S.C. § 651. Loc. R. 7:2.1 (1/1/92) Loc. R. 7:3.1 (1/1/92)	
		Loc. R. 7:4.1 (1/1/92) Loc. R. 7:5.1 (1/1/92)	
ab or:	Loc. R. 7:1.1 (1/1/92)	Loc. R. 7:6.1 (1/1/92)	
S.D. Ohio	IA Loc. R. 53.1 (10/91)	IA Arbitration Rules Orders 85-1 and 85-1A (Western Division at Cincinnati, 1/85; Revised 4/85) General Order 91-4 (Eastern Division, 7/91)	The court will not adopt any new early neutral evaluation program, but the judge assigned to a case identified as complex may consider using early neutral evaluation in specific cases.
E.D. Okla.	Summary jury trials	With the agreement of all parties, either by written motion or oral motion in court, the judicial officer may convene a summary jury trial.	

Table 13: Alternative Dispute Resolution Methods

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
N.D. Okla.	Pretrial settlement conferences, Adjunct Settlement Judge Program, summary jury trials, minitrials, executive summary jury trials, and private mediation	Civil cases may be set for a settlement conference upon the request of the parties any time prior to trial.	
W.D. Okla.	Court-annexed mediation, court-annexed mandatory arbitration, and summary jury trials	Loc. R. 16.3(A) Mediation is generally voluntary, but the court can order mediation. Mediation is scheduled at the status/scheduling conference or any time parties request it. Arbitration is mandatory for certain civil cases under \$100,000 and voluntary for any civil case in which the parties consent to use the program. Arbitration is scheduled at the status/scheduling conference and integrated into the court's case management order. Arbitration is scheduled to occur just prior to discovery cut-off. Summary jury trials are usually scheduled only after a settlement conference fails, a lengthy trial is expected, and where the expense is justified by the circumstances.	
	Loc. R. 17(I) Loc. R. 17(J) Loc. R. 43 Loc. R. 46	Loc. R. 17(J) Loc. R. 43 Loc. R. 46	
D. Or.	Settlement conferences and voluntary mediation Loc. R. 240-1 Loc. R. 240-2	IA	
E.D. Pa.	Arbitration and mediation	IA	Any judge, on his or her own motion, or any party to a civil law suit, may suggest utilizing a means of ADR other than court-annexed arbitration and mediation.
M.D. Pa.	Summary jury trials, a settlement officer program, and mediation	Summary jury trials may be held as the final step before an actual jury trial. Referral to mediation is at the court's discretion. Loc. R. 1011.4 (Revised 1/94) Loc. R. 1011.5 (Revised 1/94)	Summary jury trials are currently being used. A settlement officer program would use a magistrate judge, senior judge, or a neutral appointed by the assigned trial judge. Use of a magistrate judge as a settlement officer is a current option. The court may require the mediator or settlement officer to prepare a written report or recommendations.
W.D. Pa.	The court has a voluntary arbitration program. The chief judge will set up a neutral evaluation program. Members of the County Academy of Trial Lawyers will serve as adjunct settlement judges.	IA	
	Loc. R. 16.2 (10/93)		

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
D.P.R.	Early neutral evaluation	All cases not on the expedited track will be referred to early neutral evaluation unless the court determines that a case is unsuitable for early neutral evaluation. Early neutral evaluation procedures will be undertaken within 30 days of the issuance of the case management order.	
D.R.I.	Mandatory settlement conferences, early neutral evaluation, mediation, arbitration, and summary jury or bench trials.	Parties in all civil cases have 120 days from the filing of the answer to either select an ADR option or go to the mandatory settlement conference.	
D.S.C.	Mediation, summary jury trials, early neutral evaluation, and mandatory judicial settlement conferences are approved by the court. The court specifically rejected court-annexed arbitration.	1. Mediation: Case selection will be at the discretion of the presiding judge. A mediation week format will be used, and 2 methods of referral will be tested: opt-out and opt-in. The two referral methods will be evaluated and compared. 2. Summary jury trials: The decision as to the appropriateness of a given case for summary jury trial will be made by the presiding judge. 3. Early neutral evaluation: The court will test a pilot program for select groups of cases after the mediation program is implemented. Results and costs will be compared with those of the mediation program and mandatory judicial settlement conference. 4. Mandatory judicial settlement conferences: The court will adopt a pilot program to test routine scheduling of settlement conferences. Results and costs will be compared with those of the mediation and early neutral evaluation programs.	
D.S.D.	The court approves of all voluntary ADR methods; the court does not provide any ADR programs.	Early consideration of ADR by counsel is encouraged.	
E.D. Tenn.	The court may, at the discretion of the judge, refer any civil case for a settlement conference or any other method of ADR deemed appropriate to the needs of the case.	IA	
M.D. Tenn.	Settlement conferences and private ADR providers Loc. R. 11(d) Loc. R. 20(c)	The case manager will discuss the possibility of ADR at the initial case management conference. Loc. R. 11(d)(1)(c) Loc. R. 11(d)(2)(i) Loc. R. 11(d)(3)(e) Loc. R. 11(d)(6)(a) (3/94)	
W.D. Tenn.	Early neutral evaluation, settlement conferences, minitrials, summary jury trials, and mediation	IA	

Table 13: Alternative Dispute Resolution Methods

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
E.D. Tex.	Court-annexed mediation, minitrials, summary jury trials, and other, unspecified ADR programs are available.	ADR is discussed at the case management conference and a case may be assigned to mediation at the discretion of the court.	
N.D. Tex.	Mediation, minitrials, and summary jury trials	A judge may refer a case to ADR on the motion of any party, on the agreement of the parties, or on the judge's own motion. The judge will respect the parties' agreement unless the judge believes that another form of ADR would be better suited to the case and to the parties. The authority to refer cases to ADR does not preclude a judge from suggesting or requiring other settlement procedures.	Subject to the provisions of 28 U.S.C. § 473(c) party representatives with the authority to negotiate a settlement and all other persons necessary to negotiate a settlement, including insurance carriers, must attend the ADR sessions.
S.D. Tex.	The court recognizes mediation, minitrials, summary jury trials, and arbitration. The court may approve any other ADR method the parties suggest or the court believes is suited to the litigation.	Before the initial pretrial conference, counsel will discuss the appropriateness of ADR (with their clients and opposing counsel), and will advise the court of the results of the discussion at the initial pretrial conference. The court may refer a case to ADR on the motion of any party, on the agreement of the parties, or on its own motion. This authority does not preclude the court from suggesting or requiring other settlement initiatives. If the parties agree on a method or provider, the court will respect the agreement unless it believes there is a better suited alternative.	1. A party opposing the ADR referral or provider must file written objections within 10 days of receiving the notice of referral or provider. 2. Party representatives with authority to negotiate a settlement, and all other necessary persons (including insurance carriers) must attend the ADR session. 3. The provider and litigants will determine ADR fees. The court reserves the right to review the reasonableness of fees. 4. ADR results are nonbinding unless the parties agree otherwise. 5. All communications made during ADR procedures are confidential and protected from disclosures. 6. All providers are subject to disqualification pursuant to 28 U.S.C. § 455 (1988). 7. At the conclusion of each ADR proceeding, the provider will send the clerk a memo on the style, civil action case number, etc. The clerk will require counsel and their clients to complete a questionnaire, and the clerk will annually tabulate, analyze, and report on the disposition of ADR proceedings. The clerk will also keep the questionnaires on file. 8. Fed. R. Civ. P. 16(f) sanctions will apply to any violation of this rule.
		Loc. R. 20.A (1/92; Revised 2/94)	Loc. R. 20.C (1/92; Revised 2/94) Loc. R. 20.F (1/92; Revised 2/94) Loc. R. 20.G (1/92; Revised 2/94) Loc. R. 20.H (1/92; Revised 2/94) Loc. R. 20.I (1/92; Revised 2/94) Loc. R. 20.J (1/92; Revised 2/94) Loc. R. 20.K (1/92; Revised 2/94)
	Loc. R. 20.D (1/92; Revised 2/94)	Loc. R. 20.A (1/92; Revised 2/94) Loc. R. 20.B (1/92; Revised 2/94)	Loc. R. 20.K (1/92; Revised 2/94) Loc. R. 20.L (1/92; Revised 2/94)

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
W.D. Tex.	Nonbinding arbitration, early neutral evaluation, mediation, minitrials, and moderated settlement conferences	In appropriate cases, the court may require ADR.	The court is ordering all members of the bar of the court to acquaint themselves with ADR procedures and advise their clients regarding those procedures.
			Loc. R. CV-88 (1/94)
D. II. 1	Loc. R. CV-88 (1/94)	Loc. R. CV-88 (1/94)	Loc. R. AT-1 (Revised 1/94)
D. Utah	The court will experiment with court-supervised mediation, arbitration, minitrials, and summary jury trials for a limited period of time, to determine whether or not there is a demand for these services. (Since the adoption of the CJRA Plan, the court has approved arbitration and mediation.)	IA	
D. Vt.	Early neutral evaluation	Early in the processing of a case, after there has been an opportunity for limited discovery (approximately the mid-point in the 8-month discovery period), litigants will meet with a neutral evaluator to discuss all aspects of the case. Civil cases in the following categories will be subject to the early neutral evaluation procedure: contract, real property, torts, civil rights, labor, property rights, and miscellaneous other statutes. A case defined as appropriate for early neutral evaluation may be excused only by order of the court upon a showing of good cause.	
D.V.I.	Court-annexed mediation	The judge may order ADR in any civil matter or selected issue upon agreement of the parties. Notice will be sent within 10 days of referral. The first mediation conference will be held within 60 days of the referral order. The mediator may modify the date up to 15 days. The assigned judge may approve longer modifications. Within 15 days of referral, a party may move to dispense with mediation under certain conditions. Criminal cases, appeals from administrative agencies, and other specific matters are excluded. Mediation will be completed within 45 days of the first conference unless extended by the court or by stipulation of the parties. In any event, the process will not exceed 90 days. Discovery may continue during mediation.	
E.D. Va.	CR	IA	

Table 13: Alternative Dispute Resolution Methods

District	Court-Approved ADR Methods	Referral Method, Timing, and Type of Case Selected	Other
W.D. Va.	Minitrials	IA	
E.D. Wash.	Summary jury trials, mediation, and arbitration	IA	The court will study the possible amendment to Loc. R. 39, to provide that the mediator will be compensated by the parties.
W.D. Wash.	Mediation, voluntary arbitration, settlement judges, summary jury trials, and summary bench trials Loc, R. CR 39.1	IA	
N.D. W. Va.	The court allows arbitration, summary jury trials, minitrials, mediation with a magistrate or settlement judge, or early neutral evaluation	Parties may request ADR at any time after service of an answer. If the court grants the ADR request, the running of the set discovery period will be tolled until early neutral evaluation is completed, the ADR has been reported (to the court) to be unsuccessful, or the court determines that one or more of the parties are no longer participating in ADR in good faith.	
S.D. W. Va.	Mediation	All civil cases are potentially eligible for mediation, but the court will make the ultimate decision regarding which cases to include and will order mandatory participation of these cases in the mediation program. For a case to be considered for mediation, at least 6 months must have passed since filing and discovery must either be complete or close to completion.	
	Loc. R. 5.01	Loc. R. 5.01	
E.D. Wis.	IA	IA	
	Loc. R. 7.12 (1/1/92)	Loc. R. 7.12 (1/1/92)	
W.D. Wis.	Mediation and early neutral evaluation	The clerk will notify parties at filing of the availability of early neutral evaluation. At any appropriate point during the development of a case, the court may refer a case to a magistrate judge for mediation. ADR is viewed as a parallel track to settlement. Consequently, a case schedule will not be delayed or altered by the participation of parties in ADR.	The presiding judge will not participate in any ADR procedures selected by the parties.
D. Wyo.	IA	IA	